

REMARKS

Favorable reconsideration of this application is respectfully requested in view of the previous amendments and following remarks.

Claims 1-9 are pending. By this Amendment, claim 1 is amended and new claim 9 is added. No new matter has been added. Support for the amendment to claim 1 can be found at least in Applicants' as-filed specification.

Support new independent claim 9 can be found in Applicants' as-filed specification at least at paragraphs [0011], [0013], [0014], [0018], [0020], [0021] and [0023].

The Office Action acknowledges applicant's claim for foreign priority but indicates that a certified copy of the priority application has not yet been filed. As this application is a national stage filing of an international application under 35 USC § 371, there is no requirement to file a certified copy of the priority document which will have been forwarded to the USPTO by the International Bureau. However, in order to expedite prosecution, a copy of the priority document is being filed concurrently.

The Office Action rejects claim 1 under 35 USC § 112, first paragraph. Claim 1 is amended to address the Examiner's concerns.

The Office Action rejects claim 1 under 35 USC § 103(a) under U.S. Patent No. 5,357,062 to *Morel et al.* in view of U.S. Patent No. 5,448,033 to *Leone et al.*; and rejects claims 1-8 under 35 USC § 103(a) over U.S. Patent No. 4,401,863 to *Lemmer et al.* in view of *Leone*. These rejections are respectfully traversed.

Applicants' independent claim 1 recites, in combination with other claimed features, a switching device comprising one or more gas flow openings in a frame

and arranged for a gas flow produced by a switching event. Such a feature encompasses Applicants' exemplary embodiment as illustrated in Fig. 1 wherein first connector 4 and second connector 6 are provided inside frame 2 with means for electrically connecting 8 the first and second connector. Gas flow openings 10 and 11 are provided in the frame 2 to allow the gas flow between the inner part of the frame and the surrounding environment of the frame. This feature is not disclosed in any of the cited references.

Instead, *Morel* discloses a case 8, connection terminals 7a, 7b and a rotary contact 3 for connecting the connecting terminals to one another. However, the switching device of *Morel* does not include any gas flow openings provided in the frame and arranged for a gas flow produced by the switching event. A review of *Morel's* specification indicates that there is no discussion of gas flow.

Lemmer discloses a housing portion 1, 2, contact bars 3, 4 and contact bridge 18. *Lemmer* does not include any discussion of gas flow produced by switching event. The figures of *Lemmer* do not depict any gas flow opening provided in the housing arranged for a gas flow produced by a switching event, nor is there any discussion of such in the specification.

In the event the Examiner decides to maintain the current rejections, Applicants' respectfully request the Examiner to point out with particularity where the Examiner believes gas flow openings are shown in the *Morel* and *Lemmer* patents.

Applicants' new independent claim 9 recites, in combination with other claimed features, a switching device comprising a frame having a gas flow opening adapted for a gas flow produced by the switching event to exit the switching device.

As discussed above, this feature is not disclosed in either the *Morel* or *Lemmer* patents.

The *Leone* patent does not overcome the deficiencies of the *Morel* and *Lemmer* patents discussed above.

The dependent claims are allowable for at least the features discussed above as well as for the individual features they recite.

Early and favorable action with respect to this application is respectfully requested.

Should the Examiner have any questions regarding this Amendment or the application in general, she is invited to contact the undersigned at the number provided below.

Respectfully submitted,

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